

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Diana Monopoli, Deputy Clerk.

F045673 People v. Byrd

Cause called and argued by Solomon R. Wollack, Esq., counsel for appellant and by Kathleen A. McKenna, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, January 26, 2006 at 10:00 A.M.

F047226 People v. Gonzalez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F047226 People v. Gonzalez

The judgment is affirmed. The superior court is directed to correct the abstract of judgment to reflect the striking of the Penal Code section 667.5, subdivision (b) enhancement and to transmit certified copies of the corrected abstract to all appropriate parties and entities.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047854 People v. Barriga

The above-entitled case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F047854 People v. Barriga

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045999 People v. Tucker

The judgment of sentence is reversed and the matter is remanded to the trial court for resentencing in accordance with the views expressed in this opinion. Defendant is entitled to the assistance of counsel for resentencing. After counsel is appointed, defendant may make a Marsden motion and/or a Faretta motion. If he does so, the court is required to proceed according to the applicable law. In all other respects, the judgment is affirmed. Vartabedian, Acting P.J.

We concur: Wiseman, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046219 People v. Johnson

The judgment is affirmed remanded with directions. Etc.

Gomes, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047410 People v. Hunt

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

- F047410 People v. Hunt**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046337 People v. Hamm**
The judgment is reversed. Vartabedian, Acting P.J.
We concur: Levy, J.; Gomes, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047618 People v. Logsdon**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F047618 People v. Logsdon**
The judgment is affirmed with modifications.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047116 Valley Advocates v. County of Kings et al.**
Appellant Valley Advocates having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. A remittitur shall issue immediately.
- F046489 People v. Rios**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F047486 Aldworth Company/Keystone Freight et al. v. Workers' Compensation Appeals Board et al.

Let a writ of review issue final forthwith as to this court. The WCAB's Opinion and Decision after Reconsideration filed January 26, 2005, is annulled and the matter is remanded to the WCAB to reconsider its decision in light of the apportionment provisions enacted under Sen. Bill 899.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045355 People v. Mejia-Lenares

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F048856 In re Tommy P., a Minor

The juvenile court's July 21, 2005 jurisdictional findings and in turn its judgment are reversed and the matter is remanded for the superior court to dismiss the dependency petition filed on May 5, 2005, and reinstate family law orders previously in effect regarding custody and visitation.